

House File 308 - Introduced

HOUSE FILE _____
BY T. TAYLOR

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act concerning the Iowa public employees retirement system by
2 establishing a presumption that cancer is work-related for
3 purposes of disability benefits for protection occupation
4 members who are employed as fire fighters and by increasing
5 the contribution rate for fire fighters.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

7 TLSB 2193YH 83

8 ec/sc/8

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1 1 Section 1. Section 97B.49B, subsection 3, paragraph b,
1 2 Code 2009, is amended by adding the following new
1 3 subparagraph:
1 4 NEW SUBPARAGRAPH. (8) For the fiscal year commencing July
1 5 1, 2009, and each succeeding fiscal year, each employer of
1 6 members covered under this section shall deduct from the wages
1 7 of each member who is employed as a fire fighter in a
1 8 protection occupation an additional contribution in the amount
1 9 of five hundredths percent.

1 10 Sec. 2. Section 97B.50A, subsection 2, paragraph c, Code
1 11 2009, is amended to read as follows:

1 12 c. Disease under this subsection shall mean heart disease
1 13 or any disease of the lungs or respiratory tract and shall be
1 14 presumed to have been contracted while on active duty as a
1 15 result of strain, exposure, or the inhalation of noxious
1 16 fumes, poison, or gases. For a member who is employed as a
1 17 fire fighter in a protection occupation as provided in section
1 18 97B.49B, disease under this subsection shall also mean cancer
1 19 which shall also be presumed to have been contracted while on
1 20 active duty. However, if a person's special service

1 21 membership in the retirement system first commenced on or
1 22 after July 1, 2000, and the heart disease ~~or~~ disease of the
1 23 lungs or respiratory tract, ~~or cancer~~ would not exist, but for
1 24 a medical condition that was known to exist on the date that
1 25 special service membership commenced, the presumption
1 26 established in this paragraph shall not apply.

1 27 EXPLANATION

1 28 This bill provides that cancer contracted by a special
1 29 service member of the Iowa public employees retirement system
1 30 (IPERS) who is employed as a fire fighter in a protection
1 31 occupation is presumed to be a disease contracted while on
1 32 active duty due to the job for purposes of establishing a
1 33 disability pension. The bill also provides that the
1 34 presumption will not apply to fire fighter members who joined
1 35 the retirement system after July 1, 2000, in which the cancer
2 1 would not have existed but for a medical condition that was
2 2 known on the date the member joined.

2 3 The bill also provides that fire fighter members of IPERS
2 4 in a protection occupation shall pay an additional
2 5 contribution from their wages to the system at the rate of .05
2 6 percent.

2 7 The bill may include a state mandate as defined in Code
2 8 section 25B.3. The state mandate funding requirement in Code
2 9 section 25B.2, however, does not apply to public employee
2 10 retirement systems.

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